

Attorney Docket No. 5649-1257

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Yoon-Jong Song et al.

Application No.: 10/775,016

Filed: February 9, 2004

For: FERROELECTRIC MEMORY DEVICES WITH IMPROVED FERROELECTRIC
PROPERTIES AND ASSOCIATED METHODS FOR FABRICATING SUCH
MEMORY DEVICES

Confirmation No.: 9795

Group Art Unit: 2811

Date: September 8, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of February 9, 2004 rather than February 10, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of February 9, 2004 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of February 9, 2004;
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of February 10, 2004 instead of the Express Mail date of February 9, 2004; and
4. A true and accurate copy of a printout from www.usps.com with at tracking status that the package was **delivered** on February 10, 2004.

In re: Song et al.
Application No.: 10/775,016
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of February 9, 2004 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

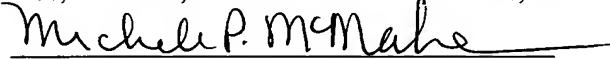


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Certificate of Mailing under 37 CFR 1.8

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Michele P. McMahan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1257

DATE: February 9, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims priority to Korean Patent Application Serial No. 10-2003-08202; filed February 10, 2003.

Inventor(s) or Application Identifier:

Yoon-Jong Song, Seoul, Korea

Nak-Won Jang, Seoul, Korea

Ki-Nam Kim, Gyeonggi-do, Korea

Entitled: **FERROELECTRIC MEMORY DEVICES WITH IMPROVED FERROELECTRIC PROPERTIES AND ASSOCIATED METHODS FOR FABRICATING SUCH MEMORY DEVICES**

Myers Bigel Sibley & Sajovec, P.A.

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Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 25 pages of Specification (including 48 claims)
3. ☒ 10 sheet of Formal Drawings (35 USC 113)
4. ☐ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated

by reference therein.

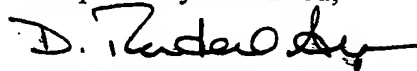
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 2 references cited (no copies provided)
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☒ Certified Copy of Korean Application No. 2003-08202 Filed February 10, 2003
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☒ Other: Application Filed Under 37 C.F.R. 141(c).

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$ 770.00
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<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
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- ☒ A check in the amount of **\$1,274.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee and a check in the amount of **\$40.00** to cover the Assignment Recordation fee is enclosed.
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of (filing fee plus \$40.00 to cover Assignment Recordation).
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



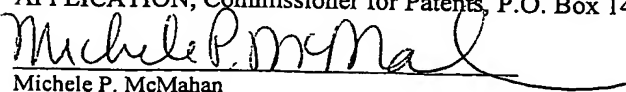
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Registration No. 40,493

CERTIFICATE OF EXPRESS MAILING

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Michele P. McMahan

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February 9, 2004

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Sir: Kindly acknowledge receipt of the accompanying by placing your
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Application Transmittal (in duplicate); Check-\$1,274.00; Patent Application (25 pages,
48 claims; 10 drawing sheets); Application Filed Under Section 1.41(c); Submittal of
Priority Document with Certified Copy of Korean App. No. 2003-08202; Information
Disclosure Statement and PTO-1449 (no copies provided); In re: **Song et al.**; For:
**FERROELECTRIC MEMORY DEVICES WITH IMPROVED
FERROELECTRIC PROPERTIES AND ASSOCIATED METHODS FOR
FABRICATING SUCH MEMORY DEVICES**

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC



Carlsbad Caverns National Park, NM

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